

# Wetlands Bureau Decision Report

Decisions Taken  
07/12/2004 to 07/16/2004

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2003-02181                      DAKOTA REALTY TRUST, FRAN MCCARTHY**  
**FREMONT   Unnamed Wetland Adjacent To Exeter River**

Requested Action:

Dredge and fill approximately 4,390 square feet of forested wetlands and the bed and banks of an intermittent stream to construct a roadway to provide access to five lots within a 7-lot residential subdivision on approximately 75.8 acres. Fill approximately 1,120 square feet of forested wetlands to construct a driveway to provide access to a single lot within the 7-lot residential subdivision. Preserve approximately 46.6 acres of wetlands and contiguous upland buffer on-site, including approximately 1,630 linear feet along the Exeter River, through execution of a conservation easement.

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Conservation Commission/Staff Comments:

No comments received from the Fremont Conservation Commission or the Exeter River Local Advisory Committee.

Inspection Date: 04/28/2004 by Christian P Williams

APPROVE PERMIT:

Dredge and fill approximately 4,390 square feet of forested wetlands and the bed and banks of an intermittent stream to construct a roadway to provide access to five lots within a 7-lot residential subdivision on approximately 75.8 acres. Fill approximately 1,120 square feet of forested wetlands to construct a driveway to provide access to a single lot within the 7-lot residential subdivision. Preserve approximately 46.6 acres of wetlands and contiguous upland buffer on-site, including approximately 1,630 linear feet along the Exeter River, through execution of a conservation easement.

With Conditions:

1. All work shall be in accordance with the Subdivision & Lot Line Change Plan (Sheets SP1 - SP5) by James M. Lavelle Associates dated July 17, 2003, as received by the Department on May 18, 2004; and the Roadway and Driveway Plan and Profiles (Sheets C1 - C3), the Drainage and Erosion Control Details (Sheet D1), and the Roadway Cross-Sections (Sheets X1 & X2) by Sublime Civil Consultants, Inc. dated September 5, 2003 and revised May 5, 2004, as received by the Department on May 18, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Fremont Conservation Commission of the date project construction is proposed to begin.
9. Work shall be conducted during low flow conditions.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

#### Upland Buffer and Wetland preservation:

20. This permit is contingent upon the execution of a conservation easement on approximately 46.6 acres, as depicted on the Subdivision & Lot Line Change Plan (Sheets SP1, SP2, SP3 & SP5) by James M. Lavelle Associates dated July 17, 2003, as received by the Department on May 18, 2004.

21. The conservation easement to be placed on the preservation area shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

22. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

23. The applicant shall prepare a report summarizing existing conditions within the preservation area. Said report shall contain photographic documentation of the preservation area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the preservation area.

24. The preservation area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

25. Signs to indicate the location of and restrictions on the preservation area shall be posted no further than every 150 feet along the boundary of the preservation area prior to construction.

26. Prior to construction, the permittee shall notify the NHDES Wetlands Bureau of the placement of the preservation area signs.

27. The placement of fill, construction of structures, and storage of vehicles or hazardous materials within the preservation area is prohibited.

28. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

#### With Findings:

1. The project is categorized as a Major Impact Project, per RSA 482-A:11.V, as it represents Phase III construction of a residential development undertaken by a single developer over a period of less than five years on abutting lots.

2. The project proposes to construct a 7-lot multi-family residential subdivision on Lot 35 (Tax Map 1) in Fremont. The project represents phase III construction of a larger residential subdivision located in the Towns of Fremont and Sandown. On August 24, 2000 the Department issued Wetlands and Non-Site Specific Permit No. 2000-00084 authorizing 19,810 square feet of wetlands disturbance associated with construction of a 36-lot cluster subdivision (Phase I) on Lot 4 (Tax Map 23) in Sandown. On February 21, 2002 the Department issued Wetlands and Non-Site Specific Permit No. 2001-01855 authorizing 5,707 square feet of wetlands disturbance associated with construction of a 5-lot subdivision (Phase II) on abutting Lot 35 (Tax Map 1) in Fremont. As compensatory mitigation for wetlands impacts associated with construction of Phases I and II, approximately 35.2 acres of upland and wetlands were preserved, via conservation easement, on abutting lots in Fremont and Sandown.

3. By incorporating wetlands avoidance and minimization measures recommended by the DES Wetlands Bureau into the project design the applicant has reduced proposed wetlands and surface waters impacts from 15,540 square feet to 5,510 square feet.

4. As compensatory mitigation for the proposed 5,510 square feet of wetlands and surface waters impacts, the applicant has agreed to preserve approximately 46.6 acres of wetlands and contiguous upland buffer on-site, including approximately 1,630 linear feet along the Exeter River, through execution of a conservation easement.

5. In a letter dated July 7, 2004 the Fremont Conservation Commission stated that it had conditionally approved the conservation easement, which is to be granted to the Town of Fremont through the Conservation Commission.

6. The proposed wetlands compensatory mitigation plan exceeds the compensatory mitigation ratios listed in Table 800-1 of the Wetlands Bureau's Compensatory Mitigation Rules (Chapter Wt 800).

7. NHDES Wetlands Bureau staff conducted a field inspection of the property on April 28, 2004.

8. Based on observations made during the field inspection of the property by NHDES Wetlands Bureau staff and based on review of information contained in the application, the Department waives the public hearing with the finding that proposed jurisdictional

impacts will not significantly impair the resources of this wetland ecosystem nor the Exeter River.

9. The NHDES Wetlands Bureau received no comments from the Fremont Conservation Commission nor the Exeter River Local Advisory Committee.

10. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.

11. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

12. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

13. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

**2004-00213                      MANCHESTER, CITY OF**  
**MANCHESTER   Merrimack River**

Requested Action:

Widen Granite St. Bridge from four to seven lanes impacting 56,905 sq. ft. of river channel and banks (34,275 sq. ft. temporary).

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Conservation Commission/Staff Comments:

5/14/04 I am drafting the findings for approval and realized we still have the issue with the mussels. Let me know how and when this will be resolved.

Wt 302.04(a)(7)

Inspection Date: 04/26/2004 by Gino E Infascelli

APPROVE PERMIT:

Widen Granite St. Bridge from four to seven lanes impacting 56,905 sq. ft. of river channel and banks (34,275 sq. ft. temporary).

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated July 2003 revised 11/03, as received by the Department on February 9, 2004.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau prior to any construction. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. This permit is contingent upon the submission plans stamped by a PE for the riprap design and submitted to the DES Wetlands Bureau prior to any construction.
4. All vegetation root systems shall remain in place where there are temporary impacts
5. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Construction equipment shall not be located within surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

16. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

17. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

18. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

19. The impacts associated with the temporary work shall be restored immediately following construction.

20. Impacts to vegetation in the temporary impact areas are limited to cutting and shall not be dredged or filled.

21. The work platform shall be a temporary bridge type structure and not a causeway in the river.

22. Stamped Engineering plans, required per Rule Wt 404.04, shall be submitted to the file prior to construction.

23. Rip rap shall follow along the existing stone banks.

24. There shall be no driving of sheet pile cofferdams between April 1 and November 1.

25. Relocation of mussels shall be within three weeks of and prior to construction, but no later than October 15.

26. All brook floater mussels occurring within the impact zone, 50m upriver of the project, and 100m downriver of the project, will be relocated up river.

27. The mussel contractor will seek approval from NH Fish & Game regarding suitable sites to relocate mussels.

28. The mussel contractor is required to get a state permit from NH Fish and Game prior to handling brook floater mussels.

#### With Findings:

1. This is a major impact project per Administrative Rules Wt 303.02(c) alteration of more than 20,000 sq. ft. of non-tidal surface waters and banks; Wt 303.02(i) alteration of more than 200 linear feet of river and banks; and Wt 303.02(k) project in a wetland where there are documented occurrences of state or federally listed Endangered or Threatened species.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. Riprap is to follow along the existing bank.

6. The overall project will limit disturbance by making use of the existing abutments and piers.

7. Storm water will be treated by Vortech type oil-water separators.

8. DES Staff conducted a field inspection of the proposed project on April 26, 2004. Field inspection determined that almost all of the impacts are temporary, the work areas along the river banks are already impacted by rip rap or concrete walls and the project will not significantly change the character in this portion of the river.

9. The 750 cu. yds. of fill, noted as item 8h on the application, is in waters of the state and not in a great pond or a public-owned waterbody and therefore does not require approval by Governor and Council under RSA 482-A,II.

10. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine system.

#### **2004-00551                      SWANSBURG FAMILY TRUST, AVID GRACE TRUSTEE TUFTONBORO   Lake Winnepesaukee**

#### Requested Action:

Repair and reconfigure an existing 18 ft 6 in x 35 ft 7 in boathouse to provide a new opening by permanently removing an existing 11 ft x 29 ft full crib dock, repair an existing 11 ft 7 in x 90 ft 5 in full crib dock in-kind with (10) tie-off pilings, and install (1) 3-piling ice cluster on an average of 197 ft of frontage on Wingate Cove, Lake Winnepesaukee.

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#### Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

**APPROVE PERMIT:**

Repair and reconfigure an existing 18 ft 6 in x 35 ft 7 in boathouse to provide a new opening by permanently removing an existing 11 ft x 29 ft full crib dock, repair an existing 11 ft 7 in x 90 ft 5 in full crib dock in-kind with (10) tie-off pilings, and install (1) 3-piling ice cluster on an average of 197 ft of frontage on Wingate Cove, Lake Winnepesaukee.

**With Conditions:**

1. All work shall be in accordance with plans by Irene G. Garvey revised July 12, 2004, as received by the Department on July 12, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
7. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
8. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
11. Repairs shall maintain existing size, location and configuration, with the exception of the relocated opening and the interior walkways.
12. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This is a major impact project per Administrative Rule Wt 303.02(d), modification of a major docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 18, 2004. Field inspection determined that the project will not significantly impair the public trust.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system.
7. The applicant has reduced the square footage of surface water impacts, therefore meeting the requirements of Rule Wt 402.22, Existing Structures.

-Send to Governor and Executive Council-

**2004-00817                      MEADOWBROOK HOMEOWNERS ASSOC, JAY GAMBLE**  
**SUNAPEE   Lake Sunapee**

Requested Action:

Install (1) 4 ft x 30 ft hinged seasonal dock, (1) 5 ft x 30 ft hinged seasonal dock, and (3) 6 ft x 26 ft seasonal piers connected by (2) 6 ft x 20 ft seasonal walkways, in a "W" shape, accessed by a hinged 6 ft x 7 ft walkway on an average of 975 ft of frontage on Fishers Bay, Lake Sunapee.

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Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Install (1) 4 ft x 30 ft hinged seasonal dock, (1) 5 ft x 30 ft hinged seasonal dock, and (3) 6 ft x 26 ft seasonal piers connected by (2) 6 ft x 20 ft seasonal walkways, in a "W" shape, accessed by a hinged 6 ft x 7 ft walkway on an average of 975 ft of frontage on Fishers Bay, Lake Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Provan & Lorber, Inc. dated March 15, 2004, as received by the Department on May 5, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal piers shall be removed for the non-boating season.
8. No work is authorized to the existing 4 slip boathouse.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 975 feet of frontage along Lake Sunapee.
3. A maximum of 14 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
4. The proposed docking facility will provide 10 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.14.
5. Public hearing is waived based on field inspection, by NH DES staff, on June 23, 2004, with the finding that the project impacts will not significantly impair the resources of Lake Sunapee.
6. The addition of the proposed docking facilities shall not involve and direct modification of the existing non-conforming boathouse.
7. The total square footage, of the existing and proposed docking facilities, over public submerged lands is less than could be approved for a standard sized 14 slip docking facility, therefore Rule Wt 402.22, Modification of Existing Structures is waived.

-Send to Governor and Executive Council-

**2004-01010 NH DEPT OF TRANSPORTATION  
LANCASTER Unnamed Wetland**

**Requested Action:**

Reconstruct and widen the roadway, add shoulders, extend a sidewalk, collect drainage in culverts, replace culverts and headers impacting 10,018 sq. ft. of riverine and palustrine wetlands.

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Inspection Date: 05/28/2004 by Gino E Infascelli

**APPROVE PERMIT:**

Reconstruct and widen the roadway, add shoulders, extend a sidewalk, collect drainage in culverts, replace culverts and headers impacting 10,018 sq. ft. of riverine and palustrine wetlands. NHDOT project #13992.

**With Conditions:**

1. This permit (2004-1010) supercedes permit 2002-833.
2. All work shall be in accordance with plans by NHDOT Bureau of Highway Design, as received by the Department on May 20, 2004 and as amended per plans received on June 23, 2004.
3. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. Construction equipment shall not be located within surface waters.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
13. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
14. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
15. The impacts associated with the temporary work shall be restored immediately following construction.
16. An inground settling basin shall be installed prior to discharge near station 223+85 and shall be shown on the erosion control plans.

**With Findings:**

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of more than 200 linear ft. stream channel and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence or field inspection finds that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application



Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on May 28, 2004. Field inspection determined that the impact areas are reasonable. The design will improve safety for pedestrians and vehicles. The condition requiring a settling basin as treatment will provide some mitigation for the loss of drainage swales.

6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland palustrine and riverine ecosystem.

## MINOR IMPACT PROJECT

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**2000-01281**                      **CIAM, CARL S & BARBARA G**  
**MEREDITH Lake Winnepesaukee**

### Requested Action:

Amend permit description to reflect correct dimensions of structure.

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### Conservation Commission/Staff Comments:

Meredith CC notes non-conformance but has no objection.

### APPROVE AMENDMENT:

Correct permit to read: Drive a 3 piling ice cluster and replace an existing 8 ft 8 in x 36 ft 6 in piling pier with an 8 ft x 36 ft 6 in piling pier extending from an existing 25 ft 9 in x 9 ft 4 in wharf to be repaired in kind on 72 ft of frontage on Spindle Pt, Lake Winnepesaukee.

### With Conditions:

1. All work shall be in accordance with plans by Docks Unlimited dated November 27, 2000, as received by the Department on November 28, 2000.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain the existing location and configuration.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Construction related debris shall be placed outside the jurisdiction of the DES Wetlands Bureau.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

### With Findings:

1. This project is classified as a minor project per Rule Wt 303.03(d), Modification of a 2 slip permanent pier.
2. The amendment corrects the dimensions in the permit description to reflect those on the approved plan. There have been no changes to the structural dimensions.

**2001-02497                      STEINSKY LAND DEV LLC**  
**MOULTONBOROUGH   Unnamed Wetland**

Requested Action:

Correct plan revision date on permit amendment .

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Conservation Commission/Staff Comments:

Con Com requested a hold on the permit until they had a chance to conduct a field review, however, their letter was received after the 14 day period from when the Tax Collector signed the application.

Inspection Date: 01/25/2002 by Doug W Cygan

APPROVE AMENDMENT:

Dredge and fill 8781 square feet of forested wetland including installation of two culverts for the construction of an access road in the subdivision of approximately 70 acres into 17 single family residential lots and one common land lot.

With Conditions:

1. All work shall be in accordance with plans by Hambrook Land Surveying dated March 2002 and revised through September 26, 2003, as received by the Department on September 30, 2003 and plans by Moser Engineering dated March 17, 2004, and revised through June 2, 2004, as received by the Department on June 3, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity.
12. All work within flowing streams shall be conducted in the dry using a dam and flume or dam and pump method.
13. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
18. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
19. Proper headwalls shall be constructed within seven days of culvert installation.
20. Culvert outlets shall be properly rip rapped.

21. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
24. Silt fencing must be removed once the area is stabilized.
25. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

The Wetlands Bureau Reaffirms findings 1-7 of the original wetland approval dated November 4, 2003 and adds the following finding:

8. The wetland impacts increased due to culvert outlet protection requirements of the Alteration of Terrain Permit.

**2003-00191                      CHESSON, JR, JOHN**  
**SUNAPEE   Lake Sunapee**

Requested Action:

Rip rap 714 sq ft on the inside of (2) existing 42 ft concrete piers on an average of 135 ft of frontage on Lake Sunapee, Sunapee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. had no objection to project.

Applicant requested a 9 month extension to May of 2004

**DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:**

Rip rap 714 sq ft on the inside of (2) existing 42 ft concrete piers on an average of 135 ft of frontage on Lake Sunapee, Sunapee.

With Findings:

1. A request for additional information dated April 3, 2003, addressed to the applicant or agent of record, required the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to a request by the applicant, DES agreed to keep the file open until May 2004.
3. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
4. DES did not receive the requested additional information within the 120 days, or by May 2004 and therefore the application has been denied.

**2004-00116                      THE KENNETT COMPANY**  
**CONWAY   Unnamed Wetland**

Requested Action:

Amend permit to include an additional 300 square feet of wetland impact due to a modification in the sewer design.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comments from the Conway Conservation Commission or the Local Advisory Committee.

**APPROVE AMENDMENT:**

Amend permit to read: Dredge and fill 7,450 square feet of palustrine forested and scrub-shrub wetlands and install (2) 24" x 35" x 80' long pipe-arch culverts to construct a roadway access to the proposed location of the new Conway High School (Phase 1). In addition, impact 300 square feet of wetlands to install a sewer line crossing.

**With Conditions:**

1. All work shall be in accordance with revised plans by H.E. Bergeron Engineers, P.A. dated 07/01/04, as received by the Department on 07/09/04.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Proper headwalls shall be constructed within seven days of culvert installations.
8. Stone aprons shall be properly installed at culvert outlets to prevent scouring/erosion.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

**With Findings:**

1. This project is considered a Minor Impact Project per NH Administrative Rule Wt 303.03(h), as impacts are less than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00210**

**EVERGREENS ON THE SACO DEVELOPMENT CORP, EDWARD PO**

**CONWAY Saco River**

**Requested Action:**

Dredge and fill 970 square feet of palustrine forested wetland along 60 feet of perennial stream to install a 24-inch x 60 foot culvert for access in the development of 50.7 acres into 47 residential condominium units.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill 970 square feet of palustrine forested wetland along 60 feet of perennial stream to install a 24-inch x 60 foot culvert for access in the development of 50.7 acres into 47 residential condominium units.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey dated May 21, 2004, as received by the Department on June 15, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Work shall be done during periods of non-flow.
11. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. Silt fencing must be removed once the area is stabilized.
20. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00472**

**BARTLETT, STEVEN**

**KINGSTON Unnamed Wetland**

**Requested Action:**

Fill approximately 8,210 square feet in forested wetlands and within the bed and banks of an intermittent stream to construct a driveway to provide access to an upland area for business expansion.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

No comments received from the Kingston Conservation Commission.

**APPROVE PERMIT:**

Fill approximately 8,210 square feet in forested wetlands and within the bed and banks of an intermittent stream to construct a driveway to provide access to an upland area for business expansion.

**With Conditions:**

1. All work shall be in accordance with the Wetland Crossing Sketch Plan by Landry Surveying, LLC dated March 2004 and revised June 3, 2004, as received by the Department on June 30, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Work shall be conducted during no flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

**With Findings:**

1. The project is categorized as a Minor Impact Project per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands and surface waters.
2. In a letter dated June 14, 2004 the NH Department of Transportation indicated that Lot 30B-1 (Kingston Tax Map U10), which has frontage along Route 125, cannot be accessed from Route 125.
3. The applicant has provided written correspondence from the owners of abutting Lot 34 (Kingston Tax Map U10) and Lot 1 (Kingston Tax Map R29) denying issuance of an easement/right-of-way across their properties to access the upland portion of Lot 30B-1 (Kingston Tax Map U10).
4. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
5. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

2004-00583

LIMA, ROBERT

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Retain an existing 6 ft x 40 ft seasonal dock and (3) existing seasonal jet ski lifts, and excavate 240 sq ft of to construct a 15 ft x 16 ft perched beach, surrounded by 40 linear ft of stone wall, utilizing 10 cu yds of sand, with stairs accessing the beach and the water, on an average of 100 ft of frontage on Long Island, Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Potential Loon hit. Con. Com never responded to 40 day hold request. NH Fish & Game did not object to proposed project. No proposed impacts to loon habitat.

APPROVE PERMIT:

Retain an existing 6 ft x 40 ft seasonal dock and (3) existing seasonal jet ski lifts, and excavate 240 sq ft of to construct a 15 ft x 16 ft perched beach, surrounded by 40 linear ft of stone wall, utilizing 10 cu yds of sand, with stairs accessing the beach and the water, on an average of 100 ft of frontage on Long Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Lakes Region Design Group dated July 12, 2004, as received by the Department on July 15, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal piers and lifts shall be removed out of jurisdiction for the non-boating season.
8. Excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
10. The steps installed for access to the water shall be located completely landward of the normal high water line and shall not exceed 6 feet in width.
11. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a perched beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00618                      WIKE, ROBERT**  
**GOFFSTOWN   Unnamed Wetland**

Requested Action:

Impact 5,188 square feet of palustrine forested wetlands and install two culverts to complete construction of Coriander Way for Phase V of the subdivision known as Cinnamon Ridge.

\*\*\*\*\*

APPROVE PERMIT:

Impact 5,188 square feet of palustrine forested wetlands and install two culverts to complete construction of Coriander Way and one culvert for driveway access for Phase V of the subdivision known as Cinnamon Ridge.

With Conditions:

1. All work shall be in accordance with plans by Resiland Engineering submitted by the applicant, as received by the Department on April 12, 2004, and stamped wetland delineation plan dated January 28, 2004, as received by the Department on June 22, 2004 and one 15" x 30' foot driveway culvert per applicants specifications dated July 16, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during low or non flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(e), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Department determined the requested work is within the scope of the previously approved Wetlands Permit #1992-422.
6. The Department has determined the requested work will not have a negative impact on the environment as proposed.

**2004-00668                      BOOTH, JOHN & PATRICIA**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Add full dormers to existing boathouse condominium unit over public waters, this will expand the sqft of floor space in the boathouse.



\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application

DENY PERMIT:

Add full dormers to existing boathouse condominium unit over public waters, this will expand the sqft of floor space in the boathouse.

With Findings:

Standard for Approval

1. In accordance with RSA 482-A:1, Finding of Public Purpose, "It is found to be for the public good and welfare of this state to protect and preserve its submerged lands...and will otherwise adversely affect the interests of the general public."
2. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
3. In accordance with RSA 482-A:26, Dwellings Over Water, "[n]o expansion of the existing footprint or outside dimensions shall be permitted."

Findings of Fact

4. On April 19, 2004, the Wetlands Bureau received a Minimum Impact Expedited Application for surface water impacts, on the lot identified as Gilford Tax map 216, Lot 001, block 006, (the "Lot") to modify an existing boathouse and residence over public waters. The boathouse is unit number 6 of an existing condominium complex.
5. The local Conservation Commission did not sign the Minimum Impact Expedited Application.
6. On May 17, 2004 the Wetlands Bureau disqualified the application for Expedited review and sent a letter stating the application will be reviewed as a standard application. The letter also asked for pictures proving the grandfathered status of the residential nature of the existing structure. No photographs have yet to be received.

Rulings in Support of the Decision

7. The proposed modification of the roof changes the outside dimensions and adds sqft of living space to the existing boathouse and residence over public waters. The proposed modifications are not approvable pursuant to RSA 482-A:26.

**2004-00975                      LAWSON, PATRICIA**  
**RUMNEY   Stinson Lake**

Requested Action:

Remove rocks from an 24 sqft abandoned crib structure placed in the lake in Stinson Lake, Rumney.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No Con Com comments by July 8, 2004.

APPROVE PERMIT:

Remove rocks from an 24 sqft abandoned crib structure placed in the lake in Stinson Lake, Rumney.

With Conditions:

1. All work shall be in accordance with plans and construction sequence as received by the Department on May 18, 2004.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Work shall be done during drawdown.
4. Rocks shall be removed to the original lakebed contours.
5. This permit does not allow for any modifications to the existing shoreline.
6. Rocks removed from the lake bed shall be placed outside of the jurisdiction of the DES Wetlands Bureau unless another use is

specifically permitted.

7. No rocks shall be dredged or deposited within 20 feet of an abutting property line or the imaginary extension of that line into the water.

8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g).

**2004-01294                      GREENFIELD, TOWN OF**  
**GREENFIELD   Sunset Lake**

Requested Action:

Remove an existing culvert under the beach and re-locate the culvert to the northern end of the beach, construct a grass lined swale at the outlet of the culvert, add 5 cy of sand to the beach, construct 184 ft berm to control runoff over the beach, add 5 cy of sand to an existing sloped beach, upgrade and existing gravel boatramp by impacting 315 sqft of lakebed to install concrete a 12 ft 42 ft concrete log boatramp on Sunset Lake, Greenfield.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

Fish and Game and NHI will not be submitting comments.

APPROVE PERMIT:

Remove an existing culvert under the beach and re-locate the culvert to the northern end of the beach, construct a grass lined swale at the outlet of the culvert, add 5 cy of sand to the beach, construct 184 ft berm to control runoff over the beach, add 5 cy of sand to an existing sloped beach, upgrade and existing gravel boatramp by impacting 315 sqft of lakebed to install concrete a 12 ft 42 ft concrete log boatramp on Sunset Lake, Greenfield.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated June 7, 2004, revision date July 8, 2004, as received by the Department on July 12, 2004.
2. Work to be conducted below the normal high water line shall be done during drawdown.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(f) and (g).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.  
4. The proposed project will help control stormwater runoff into Sunset Lake.

**2004-01301                      KRONER, CONSTANCE**  
**LEBANON   Densmore Pond**

Requested Action:

Fill 100 square feet below the high water line of Densmore Pond for culvert outlet protection.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Conservation Commission signed this minimum impact form.

DENY PERMIT:

Fill 100 square feet below the high water line of Densmore Pond for culvert outlet protection.

With Findings:

Findings of Law:

1. This is a Minor Impact Project per NH Code of Administrative Rule Wt 303.03(c), projects that involve dredge, fill, or construction of a permanent structure in a stream or marsh that do not meet the criteria of Wt 303.02, except those projects in streams which meet the criteria of Wt 303.04(g).
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The need for the proposed impacts shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands per Rule Wt 302.01.
4. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. According to Rule Wt 302.04(d), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.

Findings of Fact:

7. On October 1, 2003 and on November 6, 2003, DES Site Specific personnel conducted a site inspection for compliance with permit WPS-6461. photographs taken at these inspections indicate the area around the culvert outlet is well vegetated and no erosion is occurring at the culvert outlet.
8. On June 16, 2004, The Department of Environmental Services received a permit request to fill 100 sq ft for rip rap outlet protection.
8. The photographs submitted with the application do not illustrate any observable erosion at the culvert outlet.
9. The applicant submitted a letter with the application stating that this existing storm water culvert is grandfathered and has been in place since prior to 1969.
10. NH DES Wetlands approved permit 2002-01913, on June 29, 2004. Once work approved under this permit is completed, no storm water will be discharged from this existing culvert.

Findings in Support of Denial:

11. The applicant failed to provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
12. The project is therefore denied per Rule Wt 302.04(d)(1) as there are practical alternatives that would have a less adverse impact on the area under the department's jurisdiction.
13. The project is denied per Rule Wt 302.04(d)(3) as the project causes unnecessary destruction of a wetland.
14. The project is denied per Rule Wt 302.04(d)(5) as the requirements of Wt 302.03 were not met and the applicant failed to document factors as required in Wt 302.04(a).

## MINIMUM IMPACT PROJECT

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**2003-02245                      WADE, ROBERT**  
**ALTON   Sunset Lake**

### Requested Action:

Excavate 98 sq ft of bank to construct a 6 ft x 13 ft 6 in perched beach, surrounded by 41 linear ft of block wall, utilizing 10 cu yds of sand, and construct (4) 5 ft wide steps accessing the water on an average of 68 ft of frontage on Sunset Lake, Alton.

\*\*\*\*\*

### Conservation Commission/Staff Comments:

Con. Com. recommends denial; wall may be illegal

### APPROVE PERMIT:

Excavate 98 sq ft of bank to construct a 6 ft x 13 ft 6 in perched beach, surrounded by 41 linear ft of block wall, utilizing 10 cu yds of sand, and construct (4) 5 ft wide steps accessing the water on an average of 68 ft of frontage on Sunset Lake, Alton.

### With Conditions:

1. All work shall be in accordance with plans by Keith Dube dated July 7, 2004, as received by the Department on July 8, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
6. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
7. The steps installed for access to the water shall be located completely landward of the normal high water line.
8. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

### With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a perched beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00039                      EASTMAN COMMUNITY ASSOCIATION**  
**GRANTHAM   Unnamed Wetland**

Requested Action:

Increase impacts to 180 square feet and decrease the size of the culvert to achieve the required cover over the culvert.

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Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE AMENDMENT:

Dredge and fill 180 square feet to install a 15-inch x 28 foot culvert for driveway access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans received by the Department on June 21, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows.

**2004-00771                      MERCIER, JONATHAN**  
**GILMANTON IRON WORKS   Unnamed Stream**

Requested Action:

Dredge and fill to remove and restore 150 square feet of fill within jurisdictional areas, construct headwall and rip-rap culvert outlet. Retain 600 square feet of fill and 24-inch x 20 foot culvert for access to a single family residence.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill to remove and restore 150 square feet of fill within jurisdictional areas, construct headwall and rip-rap culvert outlet. Retain 600 square feet of fill and 24-inch x 20 foot culvert for access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated November 25, 2003, as received by the Department on April 29, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during periods of non-flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain

until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

7. Proper headwalls shall be constructed by September 1, 2004.

8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

9. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.

10. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau by September 1, 2004.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. In accordance with Wt 204.06, applications received after work is completed shall be subjected to the same review as given any other application.

**2004-00834                      WALKER, SHAUNA**  
**BATH    Unnamed Wetland**

Requested Action:

Dredge and fill approximately 2,000 square feet of forested and scrub-shrub wetland for installation of a 24"x30' culvert to provide access to a single family residential lot on approximately 5.31 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Bath Conservation Commission did not sign the PBN and provided comment.

APPROVE PERMIT:

Dredge and fill approximately 2,000 square feet of forested wetland for installation of a 24"x30' culvert to provide access to a single family residential lot on approximately 5.31 acres.

With Conditions:

1. All work shall be in accordance with plans by Raymond Lobdell dated April 4, 2004, as received by the Department on June 9, 2004.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. This permit is contingent on approval by the DES Site Specific Program.

4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

5. Work shall be done during low flow conditions.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. Proper headwalls shall be constructed within seven days of culvert installation.

8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq. ft. of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00902                      HOLZ, STANLEY**  
**BETHLEHEM    Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1,250 square feet of forested wetland for installation of a 15" culvert to provide access to a single family residential lot on approximately 5.4 acres as part of a 4-lot subdivision on approximately 16.65 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Bethlehem Conservation Commission did not sign the PBN form.

APPROVE PERMIT:

Dredge and fill approximately 1,250 square feet of forested wetland for installation of a 15" culvert to provide access to a single family residential lot on approximately 5.4 acres as part of a 4-lot subdivision on approximately 16.65 acres.

With Conditions:

1. All work shall be in accordance with the Subdivision of Land Plan by Kellogg Surveying & Mapping, Inc. dated December 2003, as received by the Department on June 15, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01006                      POLAND, ORRIN**  
**HILLSBOROUGH    Unnamed Wetland**

Requested Action:

Fill approximately 1,140 square feet of palustrine forested wetlands to provide access to 4 lots of a proposed 7-Lot subdivision.  
Work to include installation of a 12" x 30' and a 12" x 25' culvert, to include stone headers.

\*\*\*\*\*

APPROVE PERMIT:

Fill approximately 1,140 square feet of palustrine forested wetlands to provide access to 4 lots of a proposed 7-Lot subdivision.  
Work to include installation of 12" x 30' and 12" x 25' culverts, to include stone headers.

With Conditions:

1. All work shall be in accordance with Subdivision plans by TODD Land Use Consultants dated May 5, 2004, and wetland impact plans dated May 14, 2004, all plans received by the Department on May 20, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low or non flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01211                      CORMIER & SAURMAN BUILDING LLC**  
**PELHAM   Unnamed Wetland**

Requested Action:

Fill a total of 735 square feet of forested wetlands in two locations (492 sq. ft. and 273 sq. ft.) for shoulder grading associated with road construction for a 15 unit elderly housing development on 9.82 acres.

\*\*\*\*\*



Conservation Commission/Staff Comments:

Did not report.

APPROVE PERMIT:

Fill a total of 735 square feet of forested wetlands in two locations (492 sq. ft. and 273 sq. ft.) for shoulder grading associated with road construction for a 15 unit elderly housing development on 9.82 acres.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Hebert Associates, Inc. dated February 2003, as received by the Department on June 7, 2004.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NHI listed swamp azalea is located 0.5 miles away from the project site on the shore of Little Island Pond.
6. The vernal pool present on-site is located well away from the impact area and will not be affected by this permit.

**FORESTRY NOTIFICATION**

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**2004-01496                      ELKINS, GORDON & JOAN**  
**EPSOM    Unnamed Stream**

COMPLETE NOTIFICATION:  
Epsom Tax Map U12, Lot# 12

**2004-01497                      KINVILLE, RANDY**  
**SANBORNVILLE    Unnamed Stream**

COMPLETE NOTIFICATION:  
Sanbornville Tax Map 7, Lot# 6

**2004-01498                      CURRIER, GINNY**  
**MADISON    Unnamed Stream**

COMPLETE NOTIFICATION:

Madison Tax Map 11, Lot# 45

**2004-01499                    MOSBAUGH, LEE & E JAMES HANNA III**  
**WEST SWANZEY   Unnamed Stream**

COMPLETE NOTIFICATION:

West Swanzey Tax Map 73, Lot# 1

**2004-01500                    DRED, WADE STATE FOREST**  
**HILL   Unnamed Stream**

COMPLETE NOTIFICATION:

Hill Wade State Forest

**2004-01502                    BEMIS FARM TRUST**  
**TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:

Tamworth Tax Map 422, Lot# 15 & 17

**2004-01509                    LEINWAND, NANCY**  
**SANDWICH   Unnamed Stream**

COMPLETE NOTIFICATION:

Sandwich Tax Map R4, Lot# 17

**2004-01511                    DUMOINE FARMS, C/O WAGNER FOREST MGMT**  
**WINCHESTER   Unnamed Stream**

COMPLETE NOTIFICATION:

Winchester Tax Map 12, Lot# 30

**2004-01512                    WARD, GERALD & PRISCILLA**  
**MADISON   Unnamed Stream**

COMPLETE NOTIFICATION:

Madison Tax Map 15, Lot# 4

**2004-01513                    SP FORESTS LLC, JOHN SUTTON**  
**MILLSFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:

Millsfield Tax Map 1620, Lot# 2

**2004-01514                      YANKEE FOREST, LLC, C/O WAGNER FOREST MGMT**  
**GORHAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Gorham Tax Map R6 & R7, Lot# 2

**2004-01515                      GOSS, JOHN & DIXIE**  
**ENFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Enfield Tax Map 13, Lot# 9

**2004-01565                      THE CONSERVANCY FOUNDATION INC**  
**MERRIMACK   Unnamed Stream**

COMPLETE NOTIFICATION:  
Merrimack Tax map 5A & 5B, Lot# 3,65,65-1 & 1

**2004-01593                      VAHEY, ALMA**  
**BRENTWOOD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Brentwood Tax Map 3.001, Lot# 42

**2004-01594                      MITCHELL REALTY TRUST, ALAN MITCHELL**  
**NEWMARKET   Unnamed Stream**

COMPLETE NOTIFICATION:  
Newmarket Tax Map R7, Lot# 21 & 27

**2004-01595                      YANKEE FOREST LLC, C/O WAGNER FOREST MGMT**  
**MILAN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Milan Tax Map 42, Lot# 02 Parcel R

**2004-01596                      YANKEE FOREST, LLC, C/O WAGNER FOREST**  
**MILAN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Milan Tax Map 42, Lot# 02 Parcel J

**2004-01597                      YANKEE FOREST, LLC, C/O WAGNER FOREST**  
**MILAN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Milan Tax Map 42, Lot# 02 Parcel P

**2004-01598                      SWETT, DENNIS**  
**FRANKLIN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Franklin Tax Map 59, Lot# 1

**2004-01599                      SPRAGUE BROOK INC**  
**RICHMOND   Unnamed Stream**

COMPLETE NOTIFICATION:  
Richmond Tax Map D1, Lot# 10

**2004-01600                      HUNTINGTON, LINWOOD**  
**WEARE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Weare Tax Map 407, Lot# 18

**2004-01601                      HUNTER HILL TRUST**  
**NEW LONDON   Unnamed Stream Pleasant Lake**

COMPLETE NOTIFICATION:  
New London Tax Map 51, Lot# 15

**2004-01602                      KIMBALL, GLORIA**  
**THORNTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Thornton Tax Map 11, Lot# 9 & 17

## EXPEDITED MINIMUM

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**2002-01423                      WHITAKER, HAROLD & THOMAS FADDEN**  
**NEW DURHAM   Unnamed Wetland**

Requested Action:  
Approve name change to: Scott and Lisa Lemieux, 94-B First Crown Point Rd., Strafford NH 03884 per request received 7/14/04.  
\*\*\*\*\*

APPROVE NAME CHANGE:

Fill 1,200 square feet of palustrine forested wetlands and install an 18" x 24' culvert for driveway access (Lot 27E) to complete phase II of the Ham Road Subdivision serving 6-lots. Restore 200 square feet within an intermittent stream/wetland area to eliminate a former forestry crossing where the original driveway was proposed.

With Conditions:

1. All work shall be in accordance with plans by Ammonoosuc Survey Company Inc dated 6/18/02, as received by the Department on 7/1/02; and in accordance with revisions by B.H. Keith Associates as received by the Department on 5/21/04.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
7. Proper headwalls shall be installed over the culvert ends within five (5) days of culvert installation
8. A Stone aprons shall be installed at the culvert outlet to prevent scouring/erosion.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2003-00241                      FOSTER, DANA**  
**WASHINGTON   Unnamed Wetland**

Requested Action:

Fill and dredge approximately 1,355 square feet of palustrine scrub-shrub and forested wetlands and install two 12" x 20' culverts to provide access to a single family residence

\*\*\*\*\*

APPROVE AMENDMENT:

Fill and dredge approximately 1,355 square feet of palustrine scrub-shrub and forested wetlands and install two 12" x 20' culverts and retain one additional 12" x 30' culvert at the edge of Madison Road to provide access to a single family residence

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. amended June 4, 2004, as received by the Department on June 16, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
5. No fill shall be done for lot development.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be done during low flow.
8. Proper headwalls shall be constructed within seven days of culvert installation.

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of wetland for access to developable uplands
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Compliance inspection conducted by DES personnel on May 13, 2004, determined an additional culvert was installed in jurisdictional areas adjacent to Madison Road.
6. The Department has determined the additional culvert installation will not negatively impact the environment.

**2003-01351                      ACEVEDO, RITO & SALLY**  
**HAMPSTEAD   Unnamed Wetland**

Requested Action:

Dredge and fill 2,936 sq. ft. of a former gravel pit that has partially re-vegetated itself as jurisdictional wetlands to install a 24-inch x 33-foot HDPE culvert to provide proper site drainage and driveway access to uplands for a 24,400 sq. ft. multi-family housing facility on a 17+/-acre lot.

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Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application form.

APPROVE AMENDMENT:

Amendment request to change the size of the lot.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants dated June 4, 2003, and revised through November 25, 2003, as received by the Department on December 11, 2003.
2. The applicant shall comply with the Restoration Plan Approval issued December 10, 2003.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during low flow.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

**2003-02730                      STARTER BUILDING & DEVELOPMENT LLC**  
**MERRIMACK   Unnamed Wetland**

Requested Action:

Request for permit amendment to change the original permit description.

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APPROVE AMENDMENT:

Dredge and fill a total of 840 sq. ft. of palustrine scrub-shrub wetlands to construct a roadway/culvert crossing to access an 8-lot residential subdivision on a 74.455 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering dated Oct. 8, 2003 with revisions through May 22, 2004, as received by the Department on May 27, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Work shall be done during low flow.

**2004-00463                      FARMINGTON, TOWN OF**  
**FARMINGTON   Unnamed Stream**

Requested Action:

Dredge and fill 800 square feet along 40 linear feet of an unnamed stream to install two(2) squash culverts for the replacement of the Bay Road Bridge.

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Conservation Commission/Staff Comments:

The Farmington Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 800 square feet along 40 linear feet of an unnamed stream to install two(2) squash culverts for the replacement of the Bay Road Bridge.

With Conditions:

1. All work shall be in accordance with plans by Clark Hackett dated June 21, 2004, as received by the Department on June 21, 2004.
2. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
3. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream

work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.

6. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.

7. There shall be no excavation or operation of construction equipment in flowing water.

8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.

9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

10. All refueling of equipment shall occur outside of jurisdictional areas during construction.

11. Temporary water diversion measures shall be entirely removed immediately following construction.

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration area during the early stages of vegetative establishment.

14. Upland riparian areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

15. Any further alteration of areas that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), projects that alter less than 50 linear feet of an intermittent stream.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00662                      FOSTER TTEE, MARSHA**  
**MASON   Unnamed Wetland**

Requested Action:

Request for permit amendment to change the original permit description.

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Conservation Commission/Staff Comments:

The Mason Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE AMENDMENT:

Dredge and fill approximately 300 square feet of forested wetland and install a 15-inch by 20 foot culvert for access to a single family residential lot on approximately 5.4 acres of a 3 lot subdivision on approximately 15.673 acres.

With Conditions:

1. All work shall be in accordance with the plan by Allan L. Foster dated April 3, 2004, as received by the Department on June 23, 2004 and the Lot Line Adjustment and Subdivision Plat plan by Todd Land Use Consultants dated January 22, 2004 and revised through April 16, 2004, as received by the Department on May 26, 2004.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.

5. Work shall be done during low flow conditions.



6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. To clarify the definition of the project the original project description was amended.

**2004-00844                      WILSON, PHILIP**  
**BOSCAWEN   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 240 square feet of forested wetland for installation of a 15"x30' culvert to access a single family residential lot of approximately 2.82 acres as part of a 5-lot subdivisions of approximately 116 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Bow Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 240 square feet of forested wetland for installation of a 15"x30' culvert to access a single family residential lot of approximately 2.82 acres as part of a 5-lot subdivisions of approximately 116 acres.

With Conditions:

1. All work shall be in accordance with the Lot Line Adjustment & Subdivision Plan (Sheet 2 of 4 and Sheet 3 of 4) and the Topography Plan (Sheet 4 of 4) by Cornerstone Survey Associates, Inc. dated April 2004 and revised June 3, 2004, as received by the Department on June 18, 2004
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Work shall be done during low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq. ft. of jurisdictional

forested wetland.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00907                      GRAY, JOHN/LUISA**  
**BARRINGTON   Unnamed Stream**

Requested Action:

Dredge and fill approximately 280 square feet of forested wetland and intermittent stream for installation of 24"x15' culvert to access a single family residential lot.

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Conservation Commission/Staff Comments:

The Barrington Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 280 square feet of forested wetland and intermittent stream for installation of 24"x15' culvert to access a single family residential lot.

With Conditions:

1. All work shall be in accordance with the Crossing Detail Plans by Berry Surveying & Engineering dated April 23, 2004, as received by the Department on May 14, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during no flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), impacts associated with impact to access a single family residential lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has written consent from the abutter, Tax Map 6 Lot 75, for work within 20 feet of the property line.

**2004-00945                      ATKINSON, WILLIAM & DORIS**  
**MEREDITH   Waukegan Channel**

Requested Action:

Replenish an existing beach with 4 cu. yds. of sand on a property having 100 ft. of shoreline frontage on Lake Waukewan.

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APPROVE PERMIT:

Replenish an existing beach with 4 cu. yds. of sand on a property having 100 ft. of shoreline frontage on Lake Waukewan.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on July 8, 2004.
2. No more than 4 cu yds of sand may be used and all sand shall be located above the normal high water line.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(aa), replenishment of sand on an existing beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01070                      WARD, RUFUS**  
**SUNAPEE   Sunapee Lake**

Requested Action:

Correct permit by amending a 6 ft x 30 ft seasonal dock to a 6 ft x 40 ft seasonal dock.

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Conservation Commission/Staff Comments:

ConComm signed.

APPROVE AMENDMENT:

Amend permit to read:

Install a 6 ft x 40 ft seasonal dock and a 10 ft x 9 ft seasonal boatlift on a property having approximately 400 linear feet of frontage on Sunapee Lake.

With Conditions:

1. All work shall be in accordance with the original plans received by the Department on May 27, 2004 and the revised plans received on June 30, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.

6. This permit does not allow maintenance dredging.
7. Seasonal boatlifts and seasonal docks shall be removed from the lake for the non-boating season.
8. No portion of the dock shall extend more than 40 feet from the shoreline at the normal high water mark.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a) construction of a seasonal pier and Wt 303.04(ac) installation of a seasonal boatlift.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01194                      PELLETIER, RITA**  
**BETHLEHEM    Unnamed Wetland**

Requested Action:

Dredge and fill approximately 800 square feet of forested wetland for installation of a 24-inch by 40 foot culvert to access a single family residential lot on approximately 2.1 acres.

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Conservation Commission/Staff Comments:

The Bethlehem Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 800 square feet of forested wetland for installation of a 24-inch by 40 foot culvert to access a single family residential lot on approximately 2.1 acres.

With Conditions:

1. All work shall be in accordance with plans by Associated Consulting Engineers dated May 5, 2004, as received by the Department on June 7, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during no flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01259                      MEAD JR, AUBREY & MARIE**  
**BARRINGTON   Swains Lake**

Requested Action:

Remove three existing pipe discharges to the waterbody, replace an existing 17 ft 2 in by 24 ft 9 in concrete pier with a 16 ft by 22 ft concrete pier, replace an existing floating 16 ft by 16 ft dock accessed by a 5 ft by 5 ft ramp, replace an existing retaining wall around the existing beach, add 10 cubic yards of sand to the beach and construct a drainage swale to control storm water runoff on Swains Lake, Barrington.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

Fish and Game has no concerns

APPROVE PERMIT:

Remove three existing pipe discharges to the waterbody, replace an existing 17 ft 2 in by 24 ft 9 in concrete pier with a 16 ft by 22 ft concrete pier, replace an existing floating 16 ft by 16 ft dock accessed by a 5 ft by 5 ft ramp, replace an existing retaining wall around the existing beach, add 10 cubic yards of sand to the beach and construct a drainage swale to control storm water runoff on Swains Lake, Barrington.

With Conditions:

1. All work shall be in accordance with plans by Aubrey Mead dated June 3, 2004, as received by the Department on June 14, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
4. All work proposed below the normal highwater line shall be done during drawdown.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
9. No more than 10 cu yds of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
12. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
13. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v).

**2004-01260 PSNH**  
**LEE Unnamed Wetland**

Requested Action:

Impact approximately 53 sq. ft. of scrub-shrub wetlands to install 3 new utility poles as part of a power utility line upgrade.

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Conservation Commission/Staff Comments:

The Lee Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact approximately 53 sq. ft. of scrub-shrub wetlands to install 3 new utility poles as part of a power utility line upgrade.

With Conditions:

1. All work shall be in accordance with plans by Public Service of NH dated January 19, 2004, as received by the Department on June 14, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. All work shall take place during low flow conditions only.
7. Timber mats shall be utilized for temporary crossings of wetlands and shall be removed immediately following completion of work.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Orange construction fencing and siltation/erosion controls shall be placed at the limits of construction in all areas where work in uplands is within 20' of the wetland boundary to prevent accidental encroachment on adjacent wetlands.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01300 SULLIVAN, KEVIN**  
**MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Dredge 600 square feet of emergent wetland to enhance functions and values.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

**APPROVE PERMIT:**

Dredge 600 square feet of emergent wetland to enhance functions and values.

**With Conditions:**

1. All work shall be in accordance with plans by Matthew Wood, as received by the Department on June 16, 2004.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. Work shall be done under dry conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Only native species shall be planted within wetland bureau jurisdiction.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The applicant has provided a function and value assessment of the wetland and the proposed dredge will not adversely impact the functions and values of this wetland.
3. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01399                      FOULKES, ROGER & KAREN**  
**NEW LONDON   Pleasant Lake**

**Requested Action:**

Replenish an existing 500 sq ft beach with 6 cu yds of sand on an average of 100 ft of frontage on Pleasant Lake, New London.

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**Conservation Commission/Staff Comments:**

Con. Com. signed application.

**APPROVE PERMIT:**

Replenish an existing 500 sq ft beach with 6 cu yds of sand on an average of 100 ft of frontage on Pleasant Lake, New London.

**With Conditions:**

1. All work shall be in accordance with plans by Roger Foulkes, as received by the Department on June 25, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. This permit shall be used once not to exceed 10 cubic yards of sand, and does not allow for annual replenishment.

7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(aa), replenishment of an existing beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01467                      ZEKOS, ANTHONY & DOROTHY**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Repair an existing 39 linear ft stone retaining wall, add 25 linear ft of stone to an existing 12 linear ft stone wall on the back side of the existing 35 ft x 10 ft perched beach, and replenish existing beach with 2 cu yds of sand on an average of 100 ft of frontage on Salmon Meadow Cove, Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Repair an existing 39 linear ft stone retaining wall, add 25 linear ft of stone to an existing 12 linear ft stone wall on the back side of the existing 35 ft x 10 ft perched beach, and replenish existing beach with 2 cu yds of sand on an average of 100 ft of frontage on Salmon Meadow Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Walter Begley & Company, as received by the Department on July 1, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. This permit shall be used once and does not allow annual replenishment.
9. Repair shall maintain existing location and all removed material and construction debris shall be placed outside the jurisdiction of the Wetlands Bureau prior to new construction.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).



With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

## GOLD DREDGE

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**2004-01544                      FOSTER, ROBERT**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
Bath ConCom

**2004-01545                      MAYOTTE, JAMES**  
**(ALL TOWNS)   Unnamed Stream**

## TRAILS NOTIFICATION

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**2004-01508                      NEWMARKET, TOWN OF**  
**NEWMARKET   Unnamed Wetland**

COMPLETE NOTIFICATION:  
Newmarket Tax Map R6, Lot# 21 & 21-1

## LAKES-SEASONAL DOCK NOTIF

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**2004-01428                      KELLY, WARREN**  
**WAKEFIELD   Lovell Lake**

COMPLETE NOTIFICATION:  
Wakefield Tax Map 33, Lot# 64 Lovell Lake

**2004-01550                      SNIFFEN, CHARLES & JUDY**  
**HOLDERNESS   Little Squam**

COMPLETE NOTIFICATION:  
Holderness Tax Map 101, Lot# 42 Little Squam

**2004-01551 KEACH, JOHN & ARLENE**  
**MEREDITH Lake Waukewan**

COMPLETE NOTIFICATION:  
Lake Waukewan Tax Map S16, Lot# 28 Lake Waukewan

**2004-01553 AGNAR, KELD**  
**MOULTONBOROUGH Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Moultonboro Tax Map 35, Lot# 31 Lake Winnepesaukee

**2004-01554 BAZLEY, WILLIAM**  
**FITZWILLIAM Rockwood Pond**

COMPLETE NOTIFICATION:  
Fitzwilliam Tax Map 38, Lot# 3 Rockwood Pond

**2004-01555 TWOMBLY, PHILLIP**  
**HEBRON Newfound Lake**

COMPLETE NOTIFICATION:  
Hebron Tax Map 18A, Lot# 20 Newfound Lake

**2004-01603 KENT, JANIS/LARRY**  
**RAYMOND Governors Lake**

COMPLETE NOTIFICATION:  
Raymond Tax Map 13, Lot# 10 Governors Lake

**2004-01604 BAKER, WILLIAM & RITA**  
**GILFORD Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Gilford Tax Map 245, Lot# 59 Lake Winnepesaukee

**2004-01605 MARDIS, MARTIN**  
**MOULTONBOROUGH Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Moultonboro Tax Map 1, Lot# 84 lake Winnepesaukee

**2004-01606 ERAMO, STEPHEN**  
**HAVERHILL Mountain Lake**

COMPLETE NOTIFICATION:

Haverhill Tax Map 201, Lot# 7 Mountain Lake

**2004-01607                      EATON, TOBY & FRANNA**  
**CENTER SANDWICH   Bear Camp Pond**

COMPLETE NOTIFICATION:

Ctr Sandwich Tax Map R2, Lot# 57 Bear Camp Pond

**2004-01608                      EGSGARD, LYN**  
**HEBRON   Newfound Lake**

COMPLETE NOTIFICATION:

Hebron Tax Map 19A, Lot# 5 Newfound Lake

**2004-01609                      BERGIN 1993 TRUST, MILDRED**  
**EAST HEBRON   Newfound Lake**

COMPLETE NOTIFICATION:

East Hebron Tax Map 7, Lot# 8 Newfound Lake

**2004-01610                      VAN HECK, CHRISTI**  
**MEREDITH   Lake Waukegan**

COMPLETE NOTIFICATION:

Meredith Tax Map S16, Lot# 32 Lake Waukegan

**SHORELAND VARIANCE / WAIV**

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**2004-01064                      HASKELL, JASON**  
**NEW HAMPTON   Lake Winona**

Requested Action:

Grant waiver to RSA 483-B:11,I to raise the roof for creation of a loft.

\*\*\*\*\*

APPROVE CSPA WAIVER:

Grant waiver to RSA 483-B:11,I to raise the roof for creation of a loft.

With Conditions:

1. All work shall be conducted in accordance with plans dated May 19, 2004 by ArchiTechnology, received by DES on May 26, 2004.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds.

3. The applicant shall upgrade the existing septic system before the proposed construction is structurally complete.
4. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
5. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
6. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft setback to Lake Winona and therefore fails to conform to the minimum standard set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming structures may be repaired, renovated, or replaced in kind provided the result is a functionally equivalent use. Such repair or replacement may alter the interior design or existing foundation, but no expansion of the existing footprint or outside dimensions shall be permitted.
3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
4. The applicant has proposed to upgrade the existing septic system by filling in the drywell and replacing it with a 2,000 gallon holding tank. An upgraded septic system will bring the structure into greater conformity as it will improve wastewater treatment and therefore meets the criteria of 'more nearly conforming' for the issuance of a waiver per RSA 483-B:11, II.

**2004-01172                      DAGGETT, WILLAED & ROSEMARY**  
**WOLFEBORO   Lake Wentworth**

Requested Action:

Grant waiver to RSA 483-B:11,I. to add a second floor to a nonconforming residence in Wolfeboro on Lake Wentworth.

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Conservation Commission/Staff Comments:

move existing footprint back to meet more nearly conforming

APPROVE CSPA WAIVER:

Grant waiver to RSA 483-B:11,I. to add a second floor to a nonconforming residence in Wolfeboro on Lake Wentworth.

With Conditions:

1. All work shall be conducted in accordance with plans dated May 28, 2004 by Fernstone Associates, as received by DES on June 4, 2004.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds.
3. The proposed structure shall be constructed 33.7' from the reference line and shall have the same footprint as the existing structure.
4. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
5. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
6. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing residence is located within the 50 ft setback to Lake Wentworth and therefore fails to conform to the minimum standard set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming structures may be repaired, renovated, or replaced in kind provided the result is a functionally equivalent use. Such repair or replacement may alter the interior design or existing foundation, but no expansion of the existing footprint or outside dimensions shall be permitted.

3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."

4. The applicant intends to move the proposed structure 10' farther back from the reference line, than the existing structure. Moving the structure back will increase the buffer zone between development along with other human land uses and the reference line. The increase in the buffer zone will decrease impacts to the shoreline and waterbody; therefore bringing the structure into greater conformity as required by RSA 483-B:11, II.

**2004-01552                      MORGAN, MICHAEL**  
**MEREDITH   Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Meredith Tax Map U21, Lot# 29 Lake Winnepesaukee

**ROADWAY MAINTENANCE NOTIF**

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**2004-01546                      NEW IPSWICH, TOWN OF**  
**NEW IPSWICH   Unnamed Stream**

**2004-01547                      NH DEPT OF TRANSPORTATION, DISTRICT ONE**  
**MILAN   Ditch**

**2004-01548                      NH DEPT OF TRANSPORTATION**  
**ALTON   Unnamed Stream**

**2004-01549                      KINSMAN RIDGE RD ASSOCIATION, C/O MARY GUNN**  
**EASTON   Unnamed Stream**

**2004-01590                      NEWPORT, TOWN OF**  
**NEWPORT   Unnamed Stream**

**2004-01591**                      **NH DEPT OF TRANSPORTATION, HIGHWAY MAT. DIST. ONE**  
**STEWARTSTOWN**   **Unnamed Stream**

**2004-01592**                      **NH DEPT OF TRANSPORTATION, DISTRICT ONE**  
**COLEBROOK**   **Unnamed Stream**

**PERMIT BY NOTIFICATION**

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**2004-01089**                      **MELLEN, PETER**  
**HILLSBOROUGH**   **Unnamed Wetland**

Requested Action:

PBN#1, DES cannot permit this project for commercial uses per rule Wt. 303.04(z).

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hillsborough Conservation Commission did not sign the PBN.

PBN DISQUALIFIED:

PBN#1, DES cannot permit this project for commercial uses per rule Wt. 303.04(z).

Requested Action:

PBN#1, Dredge and fill approximately 1,348 square feet of forested wetland for recreational access on a lot of approximately 5.31 acres.

\*\*\*\*\*

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 1,348 square feet of forested wetland for recreational access on a lot of approximately 5.31 acres.

**2004-01090**                      **KAZAKIS, STEVE**  
**HILLSBOROUGH**   **Unnamed Wetland**

Requested Action:

PBN#1, Dredge and fill approximately 302 square feet of forested wetland for installation of a 12-inch by 20 foot culvert to access a single family residential lot on approximately 0.2 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hillsborough Conservation Commission signed the PBN

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 302 square feet of forested wetland for installation of a 12-inch by 20 foot culvert to access a single family residential lot on approximately 0.2 acres.

**2004-01171                      HATCH, DAVID & LINDA**  
**LISBON   Unnamed Stream**

Requested Action:

PBN#1, Dredge and fill approximately 80 square feet of an unnamed perennial stream for installation of a 4'x20' culvert to access a single family residential lot on approximately 5.71 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Lisbon Conservatin Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 80 square feet of an unnamed perennial stream for installation of a 4'x20' culvert to access a single family residential lot on approximately 5.71 acres.

**2004-01174                      ZIMMER, HAZEL/HENRY**  
**LACONIA   Unnamed Stream**

Requested Action:

PBN#1, Dredge and fill approximately 300 square feet of an intermittent stream and emergent wetland for installation of a 12" culvert for access to a single family residential lot on approximately 13.66 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Laconia Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 300 square feet of an intermittent stream and emergent wetland for installation of a 12" culvert for access to a single family residential lot on approximately 13.66 acres.

**2004-01312                      THOMAS, LEONARD**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

PBN#10, Installation of two (2) personal watercraft lifts on approximately 181.5 feet of shoreline frontage.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Gilford Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#10, Installation of two (2) personal watercraft lifts on approximately 181.5 feet of shoreline frontage.

**2004-01329                      NH FISH & GAME DEPARTMENT**  
**NORTHWOOD   Dole Marsh Pond**

Requested Action:

PBN#3, Dredge 380 square feet of vegetative growth in channel downstream of Dole Marsh Dam.

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Conservation Commission/Staff Comments:

The Northwood Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#3, Dredge 380 square feet of vegetative growth in channel downstream of Dole Marsh Dam.

**2004-01349                      NISOURCE / GRANITE STATE GAS TRANSMISSION, JEFF MC  
STRATHAM   Unnamed Wetland**

Requested Action:

PBN#6, Temporarily impact 3,048 square feet of emergent wetland for maintenance and repair of existing utility lines.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Stratham Conservation Commission did not sign the PBN

PBN IS COMPLETE:

PBN#6, Temporarily impact 3,048 square feet of emergent wetland for maintenance and repair of existing utility lines.

**2004-01386                      LEMAY, EDWARD  
HILLSBOROUGH   Unnamed Wetland**

Requested Action:

PBN#1, Dredge and fill approximately 323 square feet of forested wetland for installation of a 12-inch by 20 foot culvert to access a single family residential lot on approximately 0.2 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hillsborough Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 323 square feet of forested wetland for installation of a 12-inch by 20 foot culvert to access a single family residential lot on approximately 0.2 acres.

**2004-01396                      PUSHEE TTEE, ALBERT  
LYME   Unnamed Pond**

Requested Action:

PBN#14, Temporarily impact 115 square feet and 5 linear feet of shoreline to an unnamed pond to install a dry hydrant.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Lyme Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#14, Temporarily impact 115 square feet and 5 linear feet of shoreline to an unnamed pond to install a dry hydrant.



**2004-01457                      COLLIGAN, JOHN & LACEY**  
**MOULTONBOROUGH   Squam Lake**

Requested Action:

PBN#8, Installation of a 6ftx4ft concrete anchoring pad for a seasonal dock on approximately 885 feet of shoreline frontage.

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Conservation Commission/Staff Comments:

The Moultonboro Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#8, Installation of a 6ftx4ft concrete anchoring pad for a seasonal dock on approximately 885 feet of shoreline frontage.

**2004-01516                      GENERAL ELECTRIC CO**  
**SOMERSWORTH   Salmon Falls River**

Requested Action:

PBN#5, Construction of a temporary cofferdam to complete concrete repairs of a canal gatehouse.

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Conservation Commission/Staff Comments:

The Somersworth Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#5, Construction of a temporary cofferdam to complete concrete repairs of a canal gatehouse.